

Exhibit 3

Agreeing or disagreeing to User Agreement updates

As explained in the User Agreement, by logging into your account (“Gemini Account”) or authenticating to our application programming interface (“API”) with your API key (“API Authenticating” or “API Authentication”) following any change to the User Agreement, your login or API Authentication, as applicable, shall constitute your agreement to the amended User Agreement by and between you and Gemini Trust Company, LLC, and you agree to be legally bound by its terms and conditions as amended.

Among other things, this means that, if you log into your Gemini Account or API Authenticate following an amendment to the User Agreement, transactions that you or others have already undertaken, and benefits, such as trading fee discounts and rebates that you or others have earned, could be affected by the amended terms and conditions of the User Agreement. See, for example, the ‘Account Termination’ and ‘Account Remedies for Breach’ sections. You should, therefore, read the User Agreement from time to time. In the User Agreement, you also agree and understand that we have the right to require your affirmative assent and continuing acceptance of the User Agreement, from time to time, as a condition of you accessing or using any Gemini Services (as defined in the User Agreement), logging into your Gemini Account, or API Authenticating, as applicable.

If you have not already agreed to a User Agreement update and you do not agree to be bound by it, you should not access or use any Gemini Services, login to your Gemini Account, or API Authenticate. Further, **you must send an email to support@gemini.com from the email address registered with your Gemini Account asking us to close your account within seven days of an update** and you must comply with the ‘Account Closure’ section of the User Agreement. Failure to take all of these steps will constitute your agreement to a User Agreement update.